

REMARKS

Claims 1-4, 6-11, and 17-21 are pending in the present Application. In the *final* Office Action claims 1-4, 6-11, and 17-21 are rejected. By way of this Amendment, claim 7 has been canceled and claim 8 has been amended to depend from claim 17. New claims 22 – 24 have been added. Accordingly, reconsideration and allowance of claims 1-4, 6, 8-11 and 17-24 is respectfully requested.

Claim Rejections - 35 USC § 103

Claims **1, 3-4, 7, 9-11, 17-19, and 21** stand rejected in the *final* Office Action under 35 USC 103(a) as being unpatentable over Peters et al., USPN 5,842,195 (hereinafter “the Peters Reference”) in view of Munyer, United States Patent Application Publication Number 2002/0143610 (hereinafter “the Munyer Reference”). Reconsideration is respectfully requested.

With regard to claims 1, 7, 9-11, 17-19, and 21, it is asserted in the *final* Office Action that the Peters Reference does not show tokenizing the questionnaire, terminating said first network; terminating said first network connection with said remote computing device; after said first network connection is terminated, executing at least a portion of said plurality of tokens representing said questionnaire at said remote computing device to collect a response from a user; establishing a second network connection between said remote computing device and a server; and after said second network connection is established, transmitting at least portion of said response from the user to said server via said second network connection but the Munyer

Reference is said to disclose these aspects [paragraphs 0024, 0029-0030, 0046, 0047, 0048, 0052, and 0054].

With specific regard to claim 1, Applicant respectfully disagrees. Specifically, the Munyer Reference does not disclose, teach, or suggest “tokenizing said questionnaire” as recited in claim 1 as asserted in the Office Action. Applicant wishes to clarify that claim 1 does not recite tokenizing said questionnaire “for reducing bandwidth requirements” as is asserted in the Office Action. Although this may be one benefit, other reasons exist for tokenizing. As asserted in Applicant’s Specification, paragraphs [0028] and [0029], other benefits of tokenizing are that it allows the process to be “device indifferent” (see also paragraph [0047]) and allows for data security (paragraph [0074]). None of these are disclosed in the Munyer Reference.

In addition, Applicant’s claim 1 recites in step (d) “transmitting said plurality of tokens to a remote computing device.” Applicant points out that this step is not asserted to be disclosed in the Peters Reference in the Office Action, nor is it asserted to be disclosed in the Munyer Reference. Applicant submits that the Munyer Reference does not disclose or teach this recitation. In the Munyer process, the voter ballot is already contained on the PDA which is handed to the voter. No data or information, which would include tokens (though Munyer does not tokenize) are transmitted to the remote computing device.

Finally, Applicant’s claim 1 has been amended herein to recite first and second *wireless modem or wireless LAN* network connections. Support for this amendment can be found in Applicant’s Specification, paragraph [0046]. Neither the Peters Reference nor the Munyer Reference disclose or teach a wireless modem or wireless LAN network connection.

In light of the above, the rejection of claim 1 in the Office Action under 35 U.S.C. § 103 is overcome. Reconsideration and allowance of claim 1 is respectfully requested.

Claim 3 depends from claim 1 and is allowable at least for the reasons set forth above with regard to claim 1. Reconsideration and allowance of claim 3 is respectfully requested.

Claim 4 depends from claim 1 and is allowable at least for the reasons set forth above with regard to claim 1. In addition, as stated above, Applicant respectfully submits that the Munyer Reference does not teach: (i) assigning at least one token to each question of said series of questions; (ii) assigning at least one token to each response called for in said series of questions to identify the type of response required; and (iii) assigning at least one token to each branch in said questionnaire to identify the required program control associated with said branch anywhere in paragraphs 0024, 0029-0030, 0046 0047 0048, 0052, and 0054 as is asserted in the Office Action. In light of the above reasons, reconsideration and allowance of claim 4 is respectfully requested.

Claim 7 has been amended herein to recite “wherein said responses include at least one measured variable.” Support for this amendment can be found in Applicant’s Specification, paragraph [0068]. Neither the Peters Reference, nor the Munyer Reference disclose a system for including responses having measured variables. In light of the amendment to claim 7, the rejection is overcome. Reconsideration and allowance of claim 7, as amended, is respectfully requested.

Claim 9 recites in step (d) “transmitting said tokenized questionnaire to said remote computer.” Applicant points out that this step is not asserted to be disclosed in the Peters

Reference in the Office Action, nor is it asserted to be disclosed in the Munyer Reference. Applicant submits that the Munyer Reference does not disclose or teach this recitation. In the Munyer process, the voter ballot is already contained on the PDA which is handed to the voter. No data or information, which would include tokens (though Munyer does not tokenize) are transmitted to the remote computing device.

In addition, claim 9 has been amended herein to recite “performing at least steps (d) – (p) using at least two different remote computing device types using the same tokens.” Support for this amendment can be found in Applicant’s Specification, paragraphs [0028], [0029] and [0047]. Neither the Peters Reference, nor the Munyer Reference disclose or teach tokenizing. In addition, neither reference discloses or teaches tokenizing so as to be device indifferent. Moreover, neither reference discloses or teaches using two different remote computing device type using the same tokens as recited in Applicant’s amended claim 9.

For the above reasons, the rejection in the *final* Office Action of claim 9 is overcome. Reconsideration and allowance of claim 9, as amended, is respectfully requested.

Claim 17 recites in step (e) “transmitting said plurality of tokens to said handheld remote computing device.” Applicant points out that this step is not asserted to be disclosed in the Peters Reference in the Office Action, nor is it asserted to be disclosed in the Munyer Reference. Applicant submits that the Munyer Reference does not disclose or teach this recitation. In the Munyer process, the voter ballot is already contained on the PDA which is handed to the voter. No data or information, which would include tokens (though Munyer does not tokenize) are transmitted to the remote computing device.

In addition, claim 17 recites in step (g1): “executing at least a portion of said plurality of tokens representing said questionnaire on said handheld remote computing device to collect a response from a user.” Neither the Peters Reference nor the Munyer Reference disclose this step. First, the Peters Reference does not disclose tokenizing or the use of handheld devices. Next, as stated above, the Munyer Reference does not disclose tokenizing. The questionnaire (the ballot) is stored on the PDA. Munyer does not disclose, teach or suggest that the ballot is transmitted in tokenized form to the PDA.

For the above reasons, the rejection in the *final* Office Action of claim 17 is overcome. Reconsideration and allowance of claim 17 is respectfully requested.

Claim **21** depends from claim 1. Claim 21 has been amended herein to conform with claim 1. Claim 21 is allowable at least for the reasons set forth above with regard to claim 1. Reconsideration and allowance of claim 21 is respectfully requested.

In the *final* Office Action, claim **2** stands rejected under 35 USC 103(a) as being unpatentable over the Peters Reference in view of the Munyer Reference, as applied to claim 1, and further in view of Brookler et al., United States Patent Application Publication Number 2002/0007303 (hereinafter “the Brookler Reference”).

Claim 2 depends from claim 1 and includes all of the limitations of claim 1. As a result, claim 2 is allowable at least for the reasons set forth above with regard to claim 1, as amended. Reconsideration and allowance of claim 2 is respectfully requested.

In the *final* Office Action, claims **6** and **20** stand rejected under 35 USC 103(a) as being unpatentable over the Peters Reference in view of the Munyer Reference, as applied to claim 1,

and further in view of Gresham, United States Patent Application Publication Number 2002/0160773 (hereinafter “the Gresham Reference”). Reconsideration of claims 6 and 20 is respectfully requested.

Claim 6 depends from claim 1 and is allowable at least for the reasons set forth above with regard to claim 1. Claim 20 depends from claim 17 and is allowable at least for the reasons set forth above with regard to claim 17.

In addition, it is asserted in the Office Action that the Gresham reference discloses connection by a “loose network” and transmitting said responses via said “loose network.” As Applicant has consistently maintained, Gresham does not disclose a “loose network” as recited in Applicant’s claims 6 and 20. Accordingly, for the reasons set forth herein, reconsideration and allowance of claims 6 and 20 is respectfully requested.

Claim 8 stands rejected In the *final* Office Action under 35 USC 103(a) as being unpatentable over the Peters Reference in view of the Munyer Reference, as applied to claim 7, and further in view of Joao, United States Patent Application Publication Number 2001/0056374 (hereinafter “the Joao Reference”).

Claim 8 depends from claim 7. Applicant respectfully submits that claim 8 is allowable at least for the reasons set forth above with regard to claim 7. Reconsideration and allowance of claim 8 is respectfully requested.

New claims 22-24 have been added. Support for new claim 22 can be found in Applicant’s Specification, paragraphs [0028], [0029] and [0047]. Neither the Peters Reference, nor the Munyer Reference disclose or teach tokenizing. In addition, neither reference discloses

or teaches tokenizing so as to be device indifferent. Moreover, neither reference discloses or teaches using two different remote computing device type using the same tokens as recited in Applicant's amended claim 9.

Support for new claims 23 and 24 can be found in Applicant's Specification, paragraph [0068]. Neither the Peters Reference, nor the Munyer Reference disclose a system for including responses having measured variables. In light of the amendment to claim 7, the rejection is overcome. Reconsideration and allowance of claim 7, as amended, is respectfully requested.

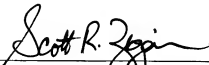
Conclusion

This paper is intended to constitute a complete response to the Examiner's *final* Office Action. Please contact the undersigned if it appears that a portion of this response is missing or if there remain any additional matters to resolve. If the Examiner feels that processing of the application can be expedited in any respect by a personal conference, please consider this an invitation to contact the undersigned by phone.

**PATENT
AMENDMENT ACCOMPANYING RCE
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Respectfully submitted,

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Scott R. Zingerman, Reg. No. 35422

Fellers, Snider, Blankenship, Bailey & Tippens
321 S. Boston Ave., Suite 800
Tulsa, OK 74103-3318
Attorneys for Applicant(s)
Tel.: 918-599-0621
Fax: 918-583-9659
Customer No. 22206